RUTHERFORD COUNTY, TENNESSEE BOARD OF COMMISSIONERS LEGISLATIVE MINUTES

THURSDAY, January 15, 2015

RUTHERFORD COUNTY BOARD OF COMMISSIONERS

AGENDA

JANUARY 15, 2015 6:00 P.M.

RUTHERFORD COUNTY COURTHOUSE, COURTROOM

- Commission called to order by Chairman
- Prayer
- Pledge to Flag Roll Call

- Reading and Approval of the Minutes Resolution of Sympathy Matt Murfree
- A.B.C.D.E.F.G.
- Resolution of Recognition Claudia Smith Resolution of Appreciation New Vision Church H.
- **Public Comments**

J. **ELECTIONS & CONFIRMATIONS**

- Elect Notaries
- Announcement of Reappointment of John L. Batey, Jr. to Consolidated Utility District 2. **Board of Directors**
- K. PUBLIC HEARINGS - 6:30 P.M.

NONE

UNFINISHED BUSINESS L.

M. REPORTS BY STANDING COMMITTEES

PURCHASING COMMITTEE 1.

Monthly Report

2. **BUDGET, FINANCE & INVESTMENT COMMITTEE**

- General Fund Budget Amendments
- В. Special Purpose Fund Budget Amendment
- Resolution Authorizing \$40,000.000 Industrial Development Revenue Note for C. The Industrial Development Board
- Approval of the EMP Grant Contract with TEMA for Emergency Management n

3. **HEALTH & EDUCATION COMMITTEE**

No Report

PROPERTY MANAGEMENT COMMITTEE 4.

No Report

5. **PUBLIC SAFETY COMMITTEE**

Resolution to Approve Contract and Amendment with Lauderdale County for Housing Juveniles

PUBLIC WORKS & PLANNING COMMITTEE 6.

Resolution to Approve Agreement with City of Murfreesboro for a 30 Yard Open-Top Container for Scrap Metal Collection to be Placed at the City's 648 West Main Street Convenience Center

7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

- Resolution to Amend Commission Rules Establishing a "Consent Agenda"
- B. Resolution to Amend Rule 4 of the Commission Rules for the Digest and Minutes to be Posted on the Rutherford County Sharepoint Site Within Fourteen (14) Days of the Meeting

N. ANY OTHER BUSINESS

- 1. Attorney/Client Executive Session Re: Circuit Court Clerk New Software System
- 2. Other

In accordance with ADA (Americans with Disabilities Act), any disabled persons requiring accommodations for participation in the meeting should contact the County Mayor's Office at 898-7745 at least two working days prior to the meeting in order that appropriate accommodations can be made.

LEGISLATIVE DIGEST OF THE RUTHERFORD COUNTY BOARD OF COMMISSIONERS

Thursday, January 15, 2015

- A. Mr. Chairman, Ernest Burgess, called the regular session of the Rutherford County Board of Commissioners to order at 6:00 p. m. Thursday, January 15, 2015, in the Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.
- B. Commissioner Brad Turner led the invocation.
- C. Commissioner Joe Frank Jernigan led the pledge to our flag.
- D. Twenty (20) Commissioners of the Rutherford County Board of Commissioners were present for the opening of the Legislative Meeting.
- E. The December 11, 2014, Legislative Meeting Minutes were adopted.
- F. Members of the Murfree family were presented a Resolution of Sympathy honoring Matt Murfree.
- G. Central Magnet School's Claudia Smith was presented a Resolution of Recognition as a finalist for the Wendy's High School Heisman Trophy.
- H. Members of New Vision Baptist Church were joined by Sheriff Robert Arnold and Superintendent Bernard Salandy to receive a Resolution of Appreciation for the church's ministry to inmates at the Correctional Work Center and Adult Detention Center.

I. PUBLIC COMMENTS

None

J. **ELECTIONS & CONFIRMATIONS**

- The Notary applicants were approved.
- 2. The reappointment of John L. Batey, Jr. to Consolidated Utility District Board of Directors was announced.

K. PUBLIC HEARINGS - 6:30 P.M.

None

L. <u>UNFINISHED BUSINESS</u>

None Reported

M. REPORTS BY STANDING COMMITTEES

1. PURCHASING COMMITTEE REPORT

A. Monthly report was approved.

2. BUDGET, FINANCE & INVESTMENT COMMITTEE

- A. A resolution to amend the General Fund Budget was approved.
- B. A resolution to amend the Special Fund Budget was approved.
- C. A resolution authorizing \$40,000,000 Industrial Development Revenue Note for The Industrial Development Board was approved.
- D. The Grant Contract with TEMA for Emergency Management was approved.

3. HEALTH & EDUCATION COMMITTEE

A. No Report

4. PROPERTY MANAGEMENT COMMITTEE

A. No report.

5. PUBLIC SAFETY COMMITTEE

 A. A Resolution to Approve Contract and Amendment with Lauderdale County for Housing Juveniles was approved.

6. PUBLIC WORKS & PLANNING COMMITTEE

A. A Resolution to Approve Agreement with City of Murfreesboro for a 30-yard Open-Top Container for Scrap Metal Collection to be placed at the City's 648 West Main Street Convenience Center was approved.

7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

- A. A Resolution to Amend Commission Rules Establishing a "Consent Agenda" was approved.
- B. A Resolution was approved to Amend Rule 4 of the Commission Rules for the Digest and Minutes to be Posted on the Rutherford County Sharepoint Site Within Fourteen (14) Days of the Meeting.

N. ANY OTHER BUSINESS

- 1. Attorney/Client Executive Session Regarding Circuit Court Clerk New Software System.
- 2. Commissioner Peay announced the Kittrell Volunteer Fire Department will hold a ham breakfast on Saturday from 6:00am to 10:00am.

There being no further business, Mr. Chairman, Ernest Burgess, adjourned the Rutherford County Board of Commissioners Legislative Meeting. Time of adjournment was 8:04 p.m.

Lisa Duke Crowell, Rutherford County Clerk

Rick Spence, Legislative Secretary

**** This document is a public record. Complete Legislative Minutes and all related documentation is available for review at the Office of the Rutherford County Clerk.

ITEM A. MEETING CALLED TO ORDER

Mr. Chairman, Ernest Burgess, called the regular session of the Rutherford County Board of Commissioners to order on Thursday, January 15, 2015, at 6:00 p.m. in the Legislative Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.

ITEM B. PRAYER

Commission Chaplain Brad Turner led the invocation.

ITEM C. PLEDGE

Commissioner Joe Frank Jernigan led the pledge to our flag.

ITEM D. ROLL CALL

Lisa Duke Crowell, County Clerk, called the Roll and upon Roll Call the following Commissioners were:

ROLL CALL

Doug Shafer – absent
Steve Pearcy – present
Will Jordan – present
Robert Peay – present
Carol Cook – present
Joe Frank Jernigan – present
Mike Kusch – present
Pettus Read – present
Joe Gourley – present
Brad Turner – present
Chantho Sourinho – present

Rhonda Allen – present
Robert Stevens – present
Paul Johnson – present
Charlie Baum – present
David Nipper – present
Phil Dodd – present
Jeff Phillips – present
Allen McAdoo – present
Shawn Kaplan – present
Trey Gooch – present

A quorum present, Mayor Burgess called for the first item on the Agenda.

ITEM E. APPROVAL OF COMMISSION MINUTES

MOTION

Commissioner Jeff Phillips moved, second by Commissioner Carol Cook, to dispense with the reading of the minutes of December 11, 2014, and approve the minutes as presented.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

ITEM F. RESOLUTION OF SYMPATHY – MATT MURFREE

RESOLUTION OF SYMPATHY

WHEREAS, it was with great sadness that the Rutherford County Board of Commissioners learned of the death of Matt B. Murfree III, a local attorney, political leader, descendent of the city's namesake, and a friend of many; and

WHEREAS, Mr. Murfree served as a County Commissioner for Rutherford County mainly in the 70's, was chairman of the Health, Education & Welfare Committee and was instrumental in establishing the Rutherford County Ambulance Service. He also served for a period of time as Chairman of the Rutherford County Commission, and due to the illness of the then County Executive, he became County Executive. He was also a member of the committee that negotiated with the Nissan Manufacturing Company that led to the location of the Nissan manufacturing plant in Rutherford County; and most recently served as the Attorney for the Rutherford County Public Building Authority; and

WHEREAS, Mr. Murfree was very active in many civic activities and served on many boards and committees including: Member and President of the Rutherford County Chamber of Commerce; served for over thirty years on the Board of the current St. Thomas Rutherford Hospital, formerly Middle Tennessee Medical Center and Rutherford Hospital; served on the board of the St. Thomas Health Care Services; served on the Christy Houston Foundation Board; and

WHEREAS, Mr. Murfree was named Business Legend of the Year in 2002 by the Rutherford County Chamber of Commerce and was honored by the Nashville Business Journal as a Rutherford County Impact Award winner in 2013; and

WHEREAS, he was a member of the Sigma Chi fraternity, St. Paul's Episcopal Church, Stones River Country Club, Belle Meade Country Club, Sons of the American Revolution and The Society of the Cincinnati; and

WHEREAS, Mr. Murfree is survived by his wife, Katherine Davis Murfree; sons, Matt B. "Bricke" Murfree IV (Sarah); Paul Davis Murfree (Blaire); three grandchildren; and brother, Robert Bell Murfree (Betsy); and

WHEREAS, Mr. Murfree was a true Southern gentleman who was respected by his peers, clients, and all who knew him; and

WHEREAS, we know that his passing has caused great sadness to his family and friends.

NOW, THEREFORE, BE IT RESOLVED that the Rutherford County Board of Commissioners at its regular session on this 15th day of January 2015, does hereby extend sincere sympathy to the family of Matt Murfree III; and

BE IT FURTHER RESOLVED that a copy of this Resolution of Sympathy be forwarded to the family of Mr. Murfree by the Clerk of this Legislative Body:

Linest D. Burgers Steppe Stepp

MOTION

Commissioner Allen McAdoo motioned, second by Commissioner Will Jordan, to approve the Resolution of Sympathy in honor of Matt Murfree.

MOTION APPROVED BY UNANIMOUS VOICE VOTE.

ITEM G. RESOLUTION OF RECOGNITION – CENTRAL MAGNET SCHOOL STUDENT CLAUDIA SMITH

RESOLUTION OF RECOGNITION

CENTRAL MAGNET SCHOOL STUDENT CLAUDIA SMITH NATIONAL FINALIST FOR THE WENDY'S HIGH SCHOOL HEISMAN TROPHY

WHEREAS, the Rutherford County Board of Commissioners recognized Central Magnet School student Claudia Smith on April 17, 2014 for winning the Individual Cross Country Class AAA State Championship and since that time, Claudia was 1 of 12 national finalists in the High School Heisman Trophy selection held in New York City on December 12, 2014; and

WHEREAS, administrators, teachers and coaches from across the nation submitted 30,000 candidates for consideration to receive the Wendy's High School Heisman Trophy with the criteria being high scholastic achievement, athletic success and community service and from that number, 6 female and 6 male students were selected as national finalists, with one of them being Claudia; and

WHEREAS, ESPN spent a couple of days with Claudia and her family and at Central Magnet School filming for the televised ceremony from the Downtown Club in New York and Wendy's awarded the 12 finalists and their families a trip to New York City culminating with the High School Heisman Trophy award ceremony and the NCAA Heisman Trophy award ceremony where Claudia was runner up; and

WHEREAS, in addition to being a star athlete, Claudia has maintained a 4.0 GPA and made a 34 on her ACT; and

WHEREAS, we express our sincere congratulations to Claudia's parents,

Colleen and Roger Smith, for without their encouragement, none of this would have

been possible, and also congratulations go to her teachers, coaches and to Central Magnet's Principal Dr. John Ash; and

WHEREAS, we commend Claudia for her dedication to not only being a successful athlete, but for her high scholastic achievement and community service.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that we extend this Resolution of Recognition to Central Magnet School student Claudia Smith for her many achievements, including being a runner up of the Wendy's High School Heisman Trophy.

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MOTION

Commissioner Phil Dodd motioned, second by Commissioner Robert Peay, to approve the Resolution of Recognition honoring Claudia Smith of Central Magnet School.

MOTION APPROVED BY UNANIMOUS VOICE VOTE.

ITEM H. RESOLUTION OF APPRECIATION – NEW VISION CHURCH

RESOLUTION OF APPRECIATION

NEW VISION BAPTIST CHURCH

WHEREAS, the Rutherford County Correctional Work Center and Adult

Detention Center have been fortunate to have the involvement and support of New

Vision Baptist Church; and

WHEREAS, the volunteer services provided by the church have included the following: Individual clergy visits; baptisms; staff counseling; inmate hospital visits; church services within the facilities and at New Vision Baptist Church; monthly prayer breakfasts; choir; finance classes; Bible studies; life skills; volunteer appreciation events; and Thanksgiving and Christmas activities, including 1,626 gifts for children of the inmates; and

WHEREAS, we would like to take this opportunity to express our appreciation and gratitude for their caring hearts and for providing these much needed services to the inmates and their families.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners at its regular session on this 15th day of January 2015, does hereby extend sincere appreciation to New Vision Baptist Church for their willingness to minister to the inmates incarcerated at the Rutherford County Correctional Work Center and Adult Detention Center and to aid and assist their families.

BE IT FURTHER RESOLVED that a copy of this Resolution of Appreciation be forwarded to New Vision Baptist Church by the Clerk of this Legislative Body.

RESOLVED this 15th day of January 2015.

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David Nupper	Charles 2. Boum I
	Saul galasan

MOTION

Commissioner Jeff Phillips motioned, second by Commissioner Steve Pearcy, to approve the Resolution of Appreciation presented to New Vision Baptist Church.

MOTION APPROVED BY UNANIMOUS VOICE VOTE.

ITEM I. PUBLIC COMMENTS

ITEM I.1. NO PUBLIC COMMENTORS

ITEM J. ELECTIONS & CONFIRMATIONS

ITEM J.1. NOTARY PUBLIC-AT-LARGE

RUTHERFORD COUNTY CLERK
LISA CROWELL COUNTY CLERK
319 N. MAPLE STREET
MURFREESBORO TN 37130
Telephone 615-898-7800

relephone 615-898-7800 Fax 615-217-6597

Notaries to be elected January 15,2015

CYNTHIA BARNES MALONE

ASHLEY BOHANAN CHARLIE B BOHN II

THOMAS EDWARD BONDURANT

TIMOTHY RAY BOYD ANGELA BRANCH BETTY J BREWER SHALONDA BROWN ALICIA H. BROWNING MICHELLE BURGESS MELISSA K BURNS CHRISTING B. BUTLER

CHRISTOPHER MICHAEL CARTER

DEBBIE M CATE
DAVID W COUTCHER
CRYSTAL DANIELS
LESLIE C. DUKE

CHRISTINA SORY DUNN DANIEL FISCHER

CAROL B GHATTAS
TALISA M GIBBS
TILLLIE E HALL
PETER V HALL
VICTOR R. HANVY
KATJA HEDDING
SANDRA D HILL
MARILYN Y HILL
FELICIA R HOLMAN
BARDLEY J JOHNSON
KIM P. JOHNSON
JESSICA B JUSTICE

KARLA D KENNEDY

KARLA KINCAID LYNDA L KING

MARTHA J KIRKPATRICK KRISTAN DAWN KYLE EDITH LANGSTON

RICK G MANSFIELD EDDIE OTONIEL MARTINEZ

KAREN MILSTEAD JUDY A. MONEY

CHARLES S MONTGOMERY

RUSSELL CALE MOOTH

CINDY NESVIK

LES H PATTERSON SR SUSAN A PHILLIPPI MELANIE PO'E MICHELLE QUIJANO DENISE S. REED MOLLY L REITTER DINAH RITCHINGS CHARLES D RUSSELL EWING SELLERS KATHY SELLERS KARA SMOTHERMAN ROBERT S STANFIELD

ELIZABETH STUARD ANTHONY THOMPKINS KATHLEEN MAJOR TYREE

CHARMAINE UY BETSY A WELLS

CAROLINE HALEY WILLIAMS

SANDRA J WOOD RONALD L WUEST

MOTION

Commissioner Brad Turner motioned, second by Commissioner Jeff Phillips, to approve the Notary Applicants as presented.

MOTION APPROVED BY UNANIMOUS VOICE VOTE.

ITEM J.2. ANNOUNCE REAPPOINTMENT OF JOHN L. BATEY, JR. TO CONSOLIDATED UTILITY DISTRICT BOARD OF DIRECTORS

BEFORE THE COUNTY MAYOR FOR RUTHERFORD COUNTY, TENNESSEE

AT MURFREESBORO

IN RE: THE CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY, TENNESSEE

ORDER

This cause came on to be heard on the 5th day of November, 2014, before the Honorable Ernest Burgess, County Mayor, upon the nominating letter as certified and filed before the County Mayor by Craig Lynch, Carter Woodruff, Rosemary Owens, and William Waite, members of said District, which nominating letter placed three (3) names in nomination for the vacant position as commissioner of said District, which vacancy occurs by the expiration of the term of office of John L. Batey, Jr., in November, 2014, and it appearing to the County Mayor that the order of preference for the appointment of a successor commissioner showed John L. Batey, Jr., as the choice of the remaining four commissioners, and that John L. Batey, Jr., is qualified in all respects to serve as such commissioner and has signified her willingness to so serve;

IT IS, ACCORDINGLY, ORDERED by the County Mayor that Craig Lynch be, and she is hereby appointed as Commissioner of the Consolidated Utility District of Rutherford County for the term of November 16, 2014 to November 15, 2018.

IT IS FURTHER ORDERED this Order be spread upon the Minutes of the Rutherford County Commission as required by law.

For purposes of clarification of the public records, this is to ratify and confirm the dates of the offices of the Commissioners:

William Waite
Dr. Rosemary Owens
Craig Lynch
Carter Woodruff
John L. Batey, Jr.

11/16/11 to 11/15/15 11/16/12 to 11/15/16 11/16/13 to 11/15/17 11/16/13 to 11/15/17 11/16/14 to 11/15/18

ERNEST BURGESS, County Mayor

BEFORE THE COUNTY MAYOR FOR RUTHERFORD COUNTY, TENNESSEE AT MURFREESBORO

IN RE: THE CONSOLIDATED UTILITY DISTRICT OF RUTHERFORD COUNTY, TENNESSEE

PETITION

Pursuant to the provisions of Tennessee Code Annotated 7-82-307, we, the undersigned active Commissioners of the Consolidated Utility District of Rutherford County, Tennessee do hereby select three nominees to fill the office of John L. Batey, Jr., whose term expires as a Commissioner of said District on or about November 15, 2014.

In accordance with the requirement of the cited statute, the nominees are listed in the order of their preference as chosen by the undersigned Commissioners:

- 1. John L. Batey, Jr.
- 2. Lynnisse Patrick
- 3. Hassell Smith, III

Respectfully submitted,

CARTER WOODRUFF

ROSEMARY OWENS

WILLIAM WAITE

Commissioner Brad Turner announced the reappointment of John L. Batey, Jr. to the Consolidated Utility District Board of Directors. Commissioner Turner presented the Order and Petition to ratify the reappointment.

ITEM K. PUBLIC HEARINGS

ITEM K.1. NO HEARINGS

ITEM L. UNFINISHED BUSINESS

None Reported.

ITEM M. REPORTS BY STANDING COMMITTEES

ITEM M PURCHASING COMMITTEE

ITEM M. 1. A. MONTHLY REPORT - PURCHASING COMMITTEE

PURCHASING COMMITTEE

JANUARY 13, 2015 4:30 P.M.

MINUTES

MEMBERS PRESENT

Ernest Burgess, Chair Carol Cook Trey Gooch Paul Johnson Doug Shafer Allen McAdoo Mac Nolen Melissa Street Robert Brown Vicki Taylor

OTHERS

Chairman Burgess presided and called the meeting to order at 4:30 p.m. with six members present.

TIRES

Four bids were received:

	AMERICAN MURFREES.	STONEY'S COLUMBIA	BEST ONE MURFREES.	TIRE WORLD MURFREES.
11R22.5 NEW HWY, TREAD	313.00	BRIDGESTONE	289.36	304.39
11R22.5 NEW SEMI-AGG.	320.00	GOVT.	334.41	348.00
225/70R19.5 NEW HWY. TREAD	207.94	BID	214.60	242.47
225/70R19.5 NEW SEMI-AGG.	223.93		227.49	255.75
425/65R225 NEW HWY, TREAD	483.00		525.53	557.27
11R22.5 CAP	116.00	140.00	122.76	145.00
11R22.5 CASE	70.00	50.00	65.00	60.00
11R22.5 RECAP OUR CASE	116.00	140.00-160.00	122.76	145.00
SERVICE CALL PER TRIP	52.98	90.00	50.00	50.00
AFTER HRS./HOLIDAY SER. CALL	76.47	125.00	60.00	75.00
MOUNTING/DISMOUNTING PER TIRE	20.99	30.00	19.00	25.00
TIRE REPAIR - PATCH	23.99	35.00	20.00	5.00
TIRE REPAIR - BOOT	21.98	35.00	22.00	10.00
TIRE REPAIR - SECTION	33.98	45.00	30.00	20.00
VALVE STEM - PER TIRE	4.50	4.00	2.50	10.00
ALIGNMENT PER TRUCK	99.99	N/A	89.99	135.00

Mac Nolen told the Committee that he had added the County Fire Department tires in with the specs for the tires. He has carefully reviewed all bids and based on his findings, he recommended the bid be awarded to American Tire.

"Commissioner Johnson moved, seconded by Commissioner Cook, to award the bid to American Tire. The motion passed unanimously."

ON-SITE EMPLOYEE MEDICAL HEALTH CLINICS

Two bids were received and both had the 3 necessary bid forms included.

	PREMISE	CARE HERE!
Projected Operating Expe	nses	
Year 1 Year 2 Year 3 Year 4	2,429,544 2,525,326 2,624,939 2,728,537	3,111,137 3,218,050 3,310,971 3,409,477
Year 5	2,836,278	3,513,980

Mrs. Melissa Street requested taking the bids under advisement so the Insurance Committee can review them and make a recommendation back to the Purchasing Committee hopefully at its next meeting.

FIXED ASSETS

Mr. Robert Brown brought a list of items that are surplus to the County's needs and he requested to sell them on Gov Deals.

"Commissioner Gooch moved, seconded by Commissioner Johnson, to approve the list as presented. The motion passed unanimously."

There being no further business, the meeting was adjourned at 5:02 p.m.

ERNEST G. BURGESS, CHAIRMAN∕

MOTION

Commissioner Carol Cook motioned, second by Commissioner Trey Gooch, to approve the Purchasing Committee Report.

MOTION APPROVED BY UNANIMOUS VOICE VOTE.

[&]quot;Commissioner Cook moved, seconded by Commissioner Gooch, to take the bids under advisement. The motion passed unanimously."

ITEM M.2. BUDGET, FINANCE & INVESTMENT COMMITTEE

ITEM M. 2. A. RESOLUTION – GENERAL FUND BUDGET AMENDMENTS

Item M. 2. A.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the GENERAL FUND be amended as follows:

Sheriff's Department

Increase Revenue: 101-44570 Contributions & Gifts \$10,200 Increase Expend.: 101-54110-399 Oth. Contracted Serv. \$10,200

Juvenile Court

Increase Expend.: 101-53500-317 Data Process. Serv. \$2,520 101-53500-719 Office Equipment \$5,000

101-53500-719 Office Equipment \$5,000 Decrease: 101-39000 Unassign, Fund Bal. \$7,520

RESOLVED this 15th day of January, 2015

RUTHERFORD COUNTY, TN

or Compat Lynn

ATTEST:

LISA CROWELL County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner Brad Turner, to approve the General Fund Budget Amendments.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

ROLL CALL

Doug Shafer – absent
Steve Pearcy – aye
Will Jordan – aye
Robert Peay – aye
Carol Cook – aye
Joe Frank Jernigan – aye
Mike Kusch – aye
Pettus Read – aye
Joe Gourley – aye
Brad Turner – aye
Chantho Sourinho – aye

Rhonda Allen – aye Robert Stevens – aye Paul Johnson – aye Charlie Baum – aye David Nipper – aye Phil Dodd – aye Jeff Phillips – aye Allen McAdoo – aye Shawn Kaplan – aye Trey Gooch –aye

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM M. 2. B. RESOLUTION – SPECIAL PURPOSE FUND BUDGET AMENDMENT

Item M. 2. B.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the SPECIAL PURPOSE FUND be amended as follows:

Sheriff's Department:

Increase Revenue: 121-47700 Increase Expend.: 121-54110-

21-47700 Asset Forfeit. Funds

\$21,250

121-54110-790 Other Equipment

\$21,250

RESOLVED this 15th day of January, 2015.

RUTHERFORD COUNTY, TN

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ATTEST:

LISA CROWELL, County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner David Nipper, to approve the Special Purpose Fund Budget Amendment.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – absent Steve Pearcy – aye Will Jordan – aye Robert Peay – aye Carol Cook – aye Joe Frank Jernigan – aye Mike Kusch – aye

Pettus Read – aye Joe Gourley – aye Brad Turner – aye

Chantho Sourinho - aye

Rhonda Allen – aye Robert Stevens – aye Paul Johnson – aye Charlie Baum – aye David Nipper – aye Phil Dodd – aye Jeff Phillips – aye Allen McAdoo – aye Shawn Kaplan – aye Trey Gooch –aye

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MOTION ADOPTED BY ROLL CALL VOTE.

ITEM M. 2. C. RESOLUTION – AUTHORIZE \$40,000,000 INDUSTRIAL DEVELOPMENT REVENUE NOTE FOR THE IDB

Item M. 2. C.

RESOLUTION

WHEREAS, at their meeting on December 17, 2014, the Industrial Development Board of Rutherford County adopted a Resolution authorizing the issuance of up to Forty Million Dollars (\$40,000,000.00) Industrial Development Revenue Series A Notes for the acquisition, construction and equipping of the Cosmolab, Inc. manufacturing facility located on Elam Farms Parkway.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and other appropriate officials of Rutherford County, Tennessee be and are hereby authorized to execute all necessary documents for the issuance of Industrial Development Revenue Series A Notes of up to Forty Million Dollars (\$40,000,000.00) in accordance with a Resolution duly adopted by the Industrial Development Board of Rutherford County, Tennessee, a copy of the same being attached hereto as "Exhibit 1" and incorporated herein by reference as if set forth herein at length verbatim.

RESOLVED this 15th day of January, 2015.

RUTHERFORD COUNTY, TN

ATTEST:

LISA CROWELL, County Clerk

RESOLUTION

Resolution authorizing and approving all documents, instruments, actions, and matters, necessary or appropriate for, or pertaining to, the issuance by the INDUSTRIAL DEVELOPMENT BOARD OF RUTHERFORD COUNTY, TENNESSEE (the "Issuer") of its Series A Note in the principal amount of not exceeding Forty Million and No/100 Dollars (\$40,000,000.00), to secure the Series A Note and its agreement to amend its existing lease with Cosmolab, Inc.

<u>WHEREAS</u>, The Industrial Development Board of Rutherford County, Tennessee, is a public, nonprofit corporation organized and existing under, and by virtue of, the provisions of Chapter 53, Title 7, <u>Tennessee Code Annotated</u>, as amended (the "Act"); and

WHEREAS, the purpose of the Act, as stated therein, being to authorize the incorporation in the several municipalities in the State of Tennessee of public corporations to finance, acquire, construct, own, lease, equip and/or dispose of properties to the end that such corporations may be able to, among other things, maintain and increase employment opportunities by promoting industry, trade, commerce, tourism, and recreation by inducing manufacturing, industrial, governmental, educational, financial service, commercial, and recreational enterprises to locate or to remain in the State of Tennessee; and

WHEREAS, the Issuer is authorized by the Act to, among other things, acquire, construct and equip projects (as defined in the Act), and borrow money for the purpose of carrying out its powers, lease projects to others and to charge and collect rent therefor, to sell projects to others through options in leases or otherwise, to secure its indebtedness with its interest in projects or any part thereof, with a pledge of the revenues and receipts therefrom, and by a pledge of its interest under the leases relating thereto, and to negotiate and require payments in lieu of ad valorem taxes; and

WHEREAS, Cosmolab, Inc. (the "Company") previously conveyed to the Issuer certain real property located at 3202 Elam Farms Parkway, Murfreesboro, Rutherford County, Tennessee (the "Facility"), which Facility has been leased to the Company under the terms of that certain Lease dated as of March 7, 2014 (the "Lease") for the construction and operation of a private label cosmetic development and manufacturing facility; and

WHEREAS, the Company intends to convey to the Issuer certain machinery, equipment and other personal property to be used by the Company in connection with its operations in the Facility (the "Equipment"), which Equipment shall be leased to the Company pursuant to the Lease (the Facility and the Equipment being, collectively, the "Project"); and

WHEREAS, the Issuer is authorized by law and has deemed it necessary to borrow money to assist in the acquisition, construction and equipping of the Project and to that end has duly authorized and directed the issuance of its Industrial Development Revenue Note, Series A (Cosmolab Project) in the principal amount not to exceed Forty Million and No/100 Dollars (\$40,000,000.00) (the "Series A Note"), the proceeds of which shall be used for, among other things, the payment of the Costs of the Project under and pursuant to the Lease, as amended; and

executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all such changes or revisions.

The officers of the Issuer are hereby authorized, empowered, and directed, from and after the execution of the Documents, to do all acts and things, and to execute all documents, as may be necessary or convenient to carry out, and to comply with the provisions of said Documents.

Section 3. Ratification of Prior Acts. All actions previously taken by the Issuer in furtherance of the transactions contemplated herein, including but not limited to the execution of Lease, are hereby ratified, approved and confirmed in all respects; and

Section 4. Miscellaneous Acts. The appropriate officers of the Issuer are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, deliver, and, if applicable file or record, or cause to be filed or recorded, in any appropriate public offices, all such documents, instruments, memoranda and certifications, certifications hereinbefore authorized and approved, as may, in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution or any of the Documents herein authorized and approved, or for any of the foregoing purposes, including without limitation, the execution, delivery and recordation of any financing statements, memoranda, certificates or other documents or instruments as they may deem necessary or desirable in connection with the foregoing.

WHEREAS, in exchange for financing the acquisition, construction and equipping of the Project with the proceeds of the Series A Note, the Company has agreed to enter into an Amendment of Lease with the Issuer (the "Amendment to Lease") to, among other things, increase the rent due thereunder; and

WHEREAS, the Issuer is authorized by law and deems it necessary to enter into a certain Collateral Assignment of Lease (the "Assignment of Lease"), a certain Deed of Trust, Assignment of Leases and Security Agreement (the "Deed of Trust"), to secure, inter alia, the loan of the indebtedness evidenced by the Series A Note; and

<u>WHEREAS</u>, the proposed form of the following documents have been presented to the Issuer for approval in connection with the transactions herein contemplated (collectively, the "Documents"):

- 1) The proposed form of the Series A Note;
- 2) Amendment to Lease;
- 3) Assignment of Lease; and
- 4) Deed of Trust

<u>WHEREAS</u>, it appears to the Issuer that all of such documents are, or will be in due form and that the execution, delivery, and implementation thereof will be necessary and advantageous to the Issuer in furthering the purposes of the Act.

NOW, THEREFORE, be it resolved by the Board of Directors of The Industrial Development Board of Rutherford County, Tennessee as follows:

Section I. Findings with Respect to the Project. The Issuer hereby finds that the acquisition, construction, equipping and leasing of the Project will develop trade and commerce in and adjacent to Rutherford County, Tennessee, will contribute to the general welfare, and will alleviate conditions of unemployment and that the issuance of the Series A Note will be necessary and advantageous to the Issuer in furthering the purposes of the Act.

Section 2. Approval of the Documents. The general form, content, and provisions of the Documents, as presented to this meeting of the Board of Directors, are hereby in all particulars approved; and the Chairman and the Vice Chairman, or either of them, and the Secretary or the Assistant Secretary of the Issuer, as applicable, are hereby authorized, empowered and directed to execute, acknowledge and deliver said Documents in the name, and on behalf, of the Issuer.

Said Documents are to be in substantially the form now before this meeting of the Board of Directors, or with such changes therein as shall be approved by the officers of the Issuer

Section 5. Captions. The captions or headings in this Resolution are for convenience only and shall in no way define, limit, or describe the scope or intent of any provision hereof.

Section 6. Partial Invalidity. If any one or more of the provisions of this Resolution, or of any exhibit or attachment thereof, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Resolution, and the exhibits and attachments thereof, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein, or therein, as the case may be.

Approved and adopted this 17th day of December, 2014.

ATTEST:

THE INDUSTRIAL DEVELOPMENT BOARD OF RUTHERFORD COUNTY, TENNESSEE

Secretary

(SEAL)

O

<u>MOTION</u>

Commissioner Will Jordan moved, second by Commissioner Chantho Sourinho, to authorize \$40,000,000 Industrial Development Revenue Note for the Industrial Development Board.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – absent Steve Pearcy – aye Will Jordan – aye

Robert Peay - aye

Carol Cook – aye

Joe Frank Jernigan – abstain

Mike Kusch – aye

Pettus Read – aye

Joe Gourley – aye

Brad Turner - aye

Chantho Sourinho - aye

Rhonda Allen – aye Robert Stevens – aye Paul Johnson – aye Charlie Baum – aye David Nipper – aye Phil Dodd – aye Jeff Phillips – aye Allen McAdoo – aye Shawn Kaplan – aye

Trey Gooch -aye

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM M.2.D.
RESOLUTION – TO EXECUTE A GRANT CONTRACT
WITH TEMA FOR EMERGENCY MANAGEMENT
PERFORMANCE GRANT AWARD

Item M. 2. D.

RESOLUTION

WHEREAS, the Rutherford County Emergency Management Agency has received an Emergency Management Performance Grant award from the Tennessee Emergency Management Agency in the amount of Sixty Nine Thousand Three Hundred Fifty Dollars (\$69,350.00), requiring matching funds of Sixty Nine Thousand Three Hundred Fifty Dollars (\$69,350.00); and

WHEREAS, the purpose of the grant is to provide funding for training, exercises, planning, management & administration and equipment for the period beginning October 1, 2013 and ending on June 30, 2015.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and all other required officials of Rutherford County, Tennessee be, and are hereby authorized, to execute a Grant Contract with the Tennessee Emergency Management Agency for the Emergency Management Performance Grant in the amount of Sixty Nine Thousand Three Hundred Fifty Dollars (\$69,350.00), requiring matching funds of Sixty Nine Thousand Three Hundred Fifty Dollars (\$69,350.00), a copy of the same being attached hereto as "Exhibit 1" and incorporated herein by reference as if set forth herein at length verbatim.

RESOLVED this 15th day of January, 2015.

RUTHERFORD COUNTY, TN

ERNEST G. BURGESS, Churman

ATTEST:

LISA CROWELL, County Clerk

MOTION

Commissioner Will Jordan moved, second by Commissioner Shawn Kaplan, to execute a Grant Contract from TEMA for a Emergency Management Performance Grant.

UPON ROLL CALL, THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – absent
Steve Pearcy – aye
Will Jordan – aye
Robert Peay – aye
Carol Cook – aye
Joe Frank Jernigan – aye
Mike Kusch – aye
Pettus Read – aye
Joe Gourley – abstain
Brad Turner – aye
Chantho Sourinho – aye

Rhonda Allen – aye Robert Stevens – aye Paul Johnson – aye Charlie Baum – aye David Nipper – aye Phil Dodd – aye Jeff Phillips – aye Allen McAdoo – aye Shawn Kaplan – aye Trey Gooch –aye

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM M.3. HEALTH & EDUCATION COMMITTEE

ITEM M.3.A. NO REPORT

ITEM M.4. PROPERTY MANAGEMENT COMMITTEE

ITEM M.4.A. NO REPORT

ITEM M.5. PUBLIC SAFETY COMMITTEE

ITEM M.5.A. RESOLUTION – APPROVE CONTRACT AND AMENDMENT WITH LAUDERDALE COUNTY FOR HOUSING JUVENILES

RESOLUTION

WHEREAS, the attached Contract and Amendment to Contract between Rutherford County Juvenile Detention Center and Lauderdale County for housing of juvenile offenders, a copy of said Contract and Amendment to Contract being attached hereto as Exhibit "1" and incorporated herein at length as if set forth verbatim, are in the best interest of the citizens of Rutherford County.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that the appropriate officials for and on behalf of Rutherford County be and hereby are authorized to enter into and execute for and on behalf of Rutherford County the Contract and Amendment to Contract with Lauderdale County for housing of juvenile offenders.

RESOLVED this 15th day of January, 2015.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:

LISA DUKE CROWELL, County Clerk

MOTION

Commissioner Joe Gourley moved, second by Commissioner Brad Turner, to approve the contract and amendment with Lauderdale County for housing juveniles.

MOTION ADOPTED BY VOICE VOTE.

ITEM M.6. PUBLIC WORKS & PLANNING COMMITTEE

ITEM M.6.A. RESOLUTION – APPROVE AGREEMENT WITH CITY OF MURFREESBORO FOR SCRAP METAL COLLECTION

RESOLUTION

WHEREAS, the Agreement, attached hereto as Exhibit "1", between the City of Murfreesboro and Rutherford County for a 30 yard open top container for scrap metal collection to be placed at the City's 648 West Main Street Convenience Center, is in the best interest of the citizens of Rutherford County.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners, to approve the Agreement with the City of Murfreesboro, pursuant to the terms and provisions contained in said Agreement.

BE IT FURTHER RESOLVED the appropriate officials for and on behalf of Rutherford County be and hereby are authorized to execute for and on behalf of Rutherford County said Agreement with the City of Murfreesboro.

RESOLVED this 15th day of January, 2015.

ATTEST:

RUTHERFORD COUNTY, TENNESSEE

Chairman

Lisa A ba Crawell

LISA DUKE CROWELL, County Clerk

MOTION

Commissioner Joe Frank Jernigan moved, second by Commissioner Phil Dodd, to approve the Agreement with City of Murfreesboro for Scrap Metal Collection.

MOTION ADOPTED BY VOICE VOTE.

ITEM M.7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

ITEM M.7.A. RESOLUTION – AMEND COMMISSION RULES TO ESTABLISH A CONSENT AGENDA

RESOLUTION

WHEREAS, the County Steering Committee has recommended the establishment of a Consent Agenda for the purposes of conducting County business in the County Commission meeting; and

WHEREAS, a Consent Agenda will facilitate the Commission and County in the exercise of conducting County Commission business during Commission meetings and is deemed in the best interest of the citizens of Rutherford County, Tennessee.

NOW, THEREFORE, BE IT RESOLVED, by the Rutherford County Board of Commissioners as follows:

- The amendment to Commission Rules, Rule III -General, attached hereto and incorporated herein by reference as if set forth at length verbatim be and the same is hereby adopted as an amendment to the County Commission Rules.
- The Commissioner Handbook be and the same is amended as set forth in the further attachment hereto incorporated herein by reference as if set forth herein at length verbatim.

RESOLVED this 15th day of January, 2015.

ATTEST:

RUTHERFORD COUNTY, TENNESSEE

Chairman

AMENDMENT TO COMMISSION RULES

RULE III - GENERAL

Consent Agenda - For matters considered routine by the Commission Chairman, the Consent Agenda authorizes the Commission Chairman to designate matters to be considered and acted upon by the Commission which matters shall be voted upon as one item without division except as provided hereafter. Commissioner votes on the Consent Agenda shall be individually recorded, either by roll call of the Clerk or in electronic format. The Commission Chairman has the exclusive authority to determine which matters are placed on the Consent Agenda. Should any Commissioner desire to have a matter removed from the Consent Agenda and considered as a separate item by the County Commission, said Commissioner shall announce the same in advance of any vote on the Consent Agenda and such item shall be removed and considered separately by the Commission under one of the appropriate Standing Committee reports to the Commission as determined by the Chairman. The Consent Agenda shall be placed on the County Commission agenda immediately preceding any Standing Committee matters, reports or votes.

COMMISSIONER HANDBOOK

CONSENT AGENDA

The County Commission adopted a Consent Agenda for the regular monthly County Commission meeting for action on matters deemed routine and non-controversial by the Commission Chairman. The Consent Agenda is placed on the County Commission agenda immediately preceding any Standing Committee matters, reports or votes. The Commission Chairman has the exclusive authority to determine which matters are placed on the Consent Agenda. All matters listed on the Consent Agenda are considered and voted upon as one item without division. However, should any Commissioner desire to have a matter removed from the Consent Agenda and considered as a separate item by the County Commission, said Commissioner announces the same in advance of any vote on the Consent Agenda and such item is removed and considered separately by the Commission under one of the appropriate Standing Committee's reports to the Commission as determined by the Chairman.

MOTION

Commissioner Trey Gooch moved, second by Commissioner Jeff Phillips, to establish a 'Consent Agenda.'

MOTION ADOPTED BY VOICE VOTE.

ITEM M. 7. B. RESOLUTION – TO AMEND COMMISSION RULES TO PROVIDE FOR THE POSTING OF COMMISSION DIGEST AND MINUTES TO RUTHERFORD COUNTY SHAREPOINT WITHIN TWO WEEKS OF LAST COMMISSION MEETING

RESOLUTION

WHEREAS, the County Steering Committee recommends that the Legislative Digest and the Minutes of the County Commission be posted on the Rutherford County Sharepoint site within fourteen (14) days of the County Commission meeting.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners as follows:

1) The Amendment to Commission Rules, Rule IV Minutes, attached hereto and incorporated herein
by reference as if set forth herein at length
verbatim be and the same is hereby adopted as an
Amendment to the County Commission Rules.

RESOLVED this 15th day of January, 2015.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:

Tisa Dukl Crowell
LISA DUKE CROWELL, County Clerk

AMENDMENT TO COMMISSION RULES

RULE IV - MINUTES

C. Sharepoint Distribution - In addition to the foregoing, the County Clerk shall post the Legislative Digest and the Minutes of each County Commission meeting on the Rutherford County Sharepoint site within fourteen (14) days of the conclusion of each County Commission meeting.

MOTION

Commissioner Trey Gooch moved, second by Commissioner Mike Kusch, to approve the amendment to Commission Rules. The amendment provides for the posting of County Commission Digest and Minutes to the County Sharepoint site within fourteen (14) days of last Commission meeting.

MOTION ADOPTED BY VOICE VOTE.

ITEM N. OTHER BUSINESS

ITEM N. 1. EXECUTIVE SESSION

Chairman Ernest Burgess called for an Attorney/Client 'Executive Session.'

Chairman Burgess advised the Commissioners and County Attorney will participate in the closed session, and that all others were excused from the court room. Chairman Burgess announced that television programming would also be interrupted until such time as the Commission meeting is reconvened.

Chairman Burgess closed the 'Executive Session' and reconvened the Commission meeting.

County Attorney Jim Cope reported that, during the Executive Session', the County Commission had received an update in reference to New Dawn, a software provider, and the Circuit Court Clerk's continued computer processing problems. No votes were taken during the closed discussion.

ITEM N. 2. OTHER BUSINESS

Commissioner Robert Peay announced the Kittrell Volunteer Fire Department will hold a 'Ham Breakfast' Saturday, January 17th. The breakfast will be held from 6 A.M. until 10 A.M.

Chairman Burgess reminded Commissioners their 'Statement of Interest' form must be filed with the Tennessee Ethics Commission by January 31.

<u>ADJOURNMENT</u>

As there was no further business, Mr. Chairman Ernest G. Burgess adjourned the Rutherford County Board of Commissioners Legislative meeting at 8:04 PM.

ENTER:	
·	CHAIRPERSON, ERNEST G. BURGES
ATTEST:	
	COUNTY CLERK, LISA COWELL

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JUREN

ENTER:

CHAIRPERSON, ERNEST G. BURGESS

ATTEST:

COUNTY CLERK, LISA COWELL